

## **Remarks**

### ***I. Status of the Claims***

Claims 37-45 remain pending in this application with Claims 46-63 being withdrawn for consideration due to an election in response to a Restriction Requirement. Claims 37, 39-42 and 45 have been amended herewith to further clarify the subject matter being claimed and to comply with a claim construction acceptable in U.S. practice. Claims 46-63 have been withdrawn from consideration. New Claims 83 and 84 have been added. No new matter or new issue is introduced by the claim amendments. By this amendment, Claims 37-45 and 83-84 are pending under consideration in this application. Applicants submit the below remarks, and respectfully request reconsideration and allowance of the pending claims.

### ***II. Election/Restrictions***

The Examiner has acknowledged Applicants' election with traverse of Group I Claims 37-45, but has made the restriction requirement final.

### ***III. Claim Objections***

Claim 37 was objected to as being an independent claim beginning with the word "The". Applicant has amended the claim to begin with the word "A" to comply with US claim practice.

### ***IV. Claim Rejections under 35 U.S.C. § 112***

Claims 37-45 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Based on the following traversal, Applicants respectfully request reconsideration and allowance.

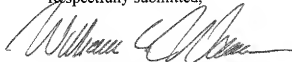
The Examiner cites certain prior art and non-prior art references for the general proposition that clinical applications for treatments of insulin producing cells are not fully

developed and "have not yet provided the perfect solution." However, all that is required for patentability is that applicants enable a credible and relevant utility for the invention. A novel mechanism for the promotion of insulin producing cells has been defined herein. Applicants have certainly enabled a very useful and valuable research tool, such as for drug screening, through its demonstration of the saposin-related induction of insulin producing cells of the present invention. Therefore, the present claims should be allowed. Applicants also state for the record that the invention does provide a demonstration convincing to one skilled in the art that the saposin-related induction of insulin producing cells would be likely to provide some therapeutic benefit to patients, despite the need for more detailed clinical experimentation and optimization for FDA approval, and the claims are intended to encompass such uses as well.

**Conclusion**

No additional fees are believed due at this time. However, please charge any fees that may be due, or credit any overpayment, to Deposit Account 19-5029 (Ref.: 18744-0033). In addition, if there are any issues that can be resolved by a telephone conference or an Examiner's amendment, the Examiner is invited and encouraged to call the undersigned attorney at (404) 853-8000.

Respectfully submitted,



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